

REMARKS

Claims 1-20 are pending in the application. Claims 6 and 17 are objected to due to informalities. Claims 6 and 17 have been amended to address this rejection. Claims 1 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0099567 A1 issued to Joao. Claims 2 and 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,785,718 B2 issued to Hancock et al. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view Hancock and further in view of U.S. Patent Publication No. 2004/0030572 A1 issued to Campbell et al. Claims 7, 8 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent Publication No. 2002/0120533 A1 issued to Wiesenmaier et al. Claims 9, 10, 13, 15-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of Wiesenmaier and Hancock. Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of Wiesenmaier and Hancock and further in view of Hancock. Applicants respectfully traverse. Applicants respectfully request reconsideration and full allowance of all pending claims.

Joao cannot make obvious Claims 1 and 11 because Joao fails to teach, disclose or suggest all elements recited by Claim 1 and 11. With respect to Claim 1, the Examiner admits that Joao fails to disclose “a freight claim engine that provides the claimed functionality.” With respect to Claim 11, the Examiner admits that Joao fails to disclose “using one or more predetermined factors to identify delivery reports as freight claims.” The Examiner’s statement that these elements are common knowledge has no basis and does not establish grounds for a rejection under Section 103. Applicants respectfully traverse the Examiner’s use of “common knowledge” and demand evidence thereof. Applicants respectfully request that, absent evidence to support the Examiner’s rejection, the Examiner withdraw the rejections of Claims 1-17.

Joao, Wiesenmaier and Hancock cannot make obvious Claim 18 because Joao, Wiesenmaier and Hancock fail to teach, disclose or suggest all elements recited by Claim 18. For example, Joao, Wiesenmaier and Hancock fail to teach, disclose or suggest “automatically re-building the products associated with a response of lost or damaged.” The Examiner’s rejection fails to specify where in the references the automatic re-building is disclosed.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection and allow Claims 18-20.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

The Commissioner is authorized to deduct any additional fees which may be necessary and to credit any overpayment to Deposit Account No. 502264.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on April 15, 2008.

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Respectfully submitted,

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